

## **Statement by Chancellor, McGill concerning discipline of students involved in barring Marine recruiter**

**April 28, 1969**

Statement by Chancellor William J. McGill:

Advertisements appearing in the San Diego press allege that I have taken no disciplinary action to date in the case involving persons who, on February 21, opposed the appearance of a Marine Corps recruiter on the UCSD campus.

The allegation is incorrect. Disciplinary action already has been taken against one ex-student, and proceedings are under way to establish the guilt or innocence of others who may have violated campus regulations. Furthermore, a letter has gone to the U.S. Marine Corps, over my signature, deploring the incident and apologizing for it.

Under University regulations, no Chancellor may take disciplinary action unilaterally. He may move only after due process has clearly established guilt. It is incorrect, therefore, to allege that I have not acted. Where the regulations have permitted, I have acted. Where they have not, I have been constrained to wait for due process to run its course.

The following are the facts, to this date:

- Under University rules, each student charged with a violation must be notified of the charge. Naturally, each student to be so charged must first be identified, and identification in the present case has proved difficult in certain instances. This problem has caused delays.

- Campus disciplinary procedures provide that any student charged with an infraction may choose either 1) administrative disciplinary action, or 2) review by committee. In the present case, all defendants have requested committee review. This procedure is inevitably more time-consuming than administrative action.

- The appropriate committee in this instance is the Committee on Student Conduct, appointed by the Chancellor and comprised of four faculty members and four students. This committee held its first meeting on Friday, April 18. This session was inconclusive, and a second meeting has been scheduled for the night of Wednesday, April 30. All meetings of this committee are open, the number of observers being limited only by the capacity of the hearing room.

- Based on studies of photographs taken of the incident, present indications are that at least 12 persons were involved. Ten were students currently enrolled in UCSD, one was an ex-student, and one a faculty member. Eight of the 11 students already have been cited, and two more will be cited in the near future to appear before the committee (assuming they do not opt for administrative disciplinary action). The case of the faculty member is still under study, and I will announce a decision on that case concurrently with announcement of decisions on the students.

The intent of this time-consuming and cumbersome procedure is the same intent that undergirds the structure of all law in our land: to protect the individual. It would be much easier for the University to be arbitrary - and

to make mistakes. The procedures we are following are devised to protect the individual, the University and - ultimately - the community at large from the consequences of such mistakes. As an example, in this incident we found we had mistakenly charged one student with involvement. Thanks to insistence on due process, the error was rectified before serious damage was done to the student's reputation. Any delay which serves to protect the innocent is, in our view, totally justified.

I am fully aware that such delays will bring criticism, but this is a risk we must take. Dedication to law and to the principles of freedom and justice is an imperative in any University. If such dedication provokes impatience with us for alleged procrastination, we must accept such criticism and hope that, in time, our critics will recognize and acknowledge the wisdom of acting only after all the evidence is in.